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NO. 4509 P. 4

JAN 30 2008

Docket No.: 60025 (72021)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Suoming Zhang et al.

Application No.: 10/563,401

Confirmation No.: 4539

Filed: January 3, 2006

Art Unit: 1624

For: SUBSTITUTED (HETEROCYCLO
ALKYL)METHYL AZOLE DERIVATIVES
AS C5a RECEPTOR MODULATORS

Examiner: N. E. Jarrell

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This document is submitted in response to the Office Action mailed from the United States Patent and Trademark Office on November 1, 2007. Claims 1-12, 14-23, 26, 28-29, 36, 40-44, 46-50, and 56-61 are pending in the instant application and are subject to restriction.

In response to the restriction requirement, Applicants hereby provisionally elect Group XIII, directed to claims 1, 2, 5-7, 12, 17-19, 23, 26, 28, 29, 36, 40-44, 46, 50, and 56-61, and in compliance with the Restriction Requirement, further elect compound 57, found at Table 1 of the application as filed.

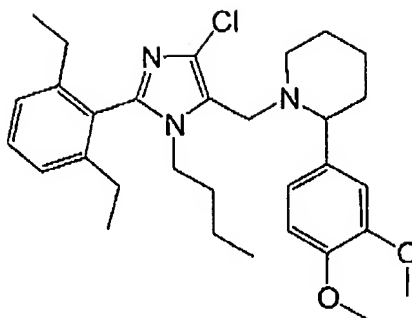
The structure and name of compound 57 is provided below.

655199

S. Zhang et al.
Application No.: 10/563,401

2

Docket No.: 60025 (72021)



1-([1-butyl-4-chloro-2-(2,6-diethylphenyl)-1H-imidazol-5-yl]methyl)-2-(3,4-dimethoxyphenyl)
piperidine

The instant election is made with traverse for continued examination and Applicants submit that no unreasonable burden is incurred by a search of Groups I-XVI.

This election is made with the understanding that upon allowance of a generic claim, Applicants will be entitled to the consideration of the additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

The present election should not be construed as a surrender of any subject matter of the application. Applicants reserve the right to file divisional application(s) on the non-elected claims.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

The Director is hereby authorized to charge any credits or deficiency in the fees filed (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 60025 (72021).

JAN. 30. 2008 4:08PM

NO. 4509 P. 6

S. Zhang et al.
Application No.: 10/563,401

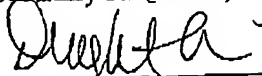
3

Docket No.: 60025 (72021)

Dated: January 30, 2008

Respectfully submitted,

By


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